

ORDINANCE NO. 2009

**AN ORDINANCE TO AMEND THE DEFINITION OF
"ACCESSORY BUILDING OR USE" IN SECTION 78-1 OF
CHAPTER 78 - ZONING OF THE CODE OF ORDINANCES IN
ORDER TO ALLOW FOR PLUMBING AND BATHROOM
FACILITIES.**

WHEREAS, the Town of Hollywood Park, a general law Type A city, and its city council have the intent to protect the public health, safety and welfare of its citizens; and

WHEREAS, municipalities may, under their police powers, enact reasonable regulations to promote the health, safety and welfare of citizens; and

WHEREAS, Texas Local Government Code Section 51.001(1) provides that the governing body of a municipality may adopt, publish, amend, or repeal an ordinance, rule or policy regulation that is for the good government, peace, or order of the municipality; and

WHEREAS, Texas Local Government Code Section 211.003(a)(5) provides that the governing body of a municipality may regulate the location and use of buildings, other structures, and land for business, industrial, residential, or other purposes; and

WHEREAS, the current definition of "accessory building or use" provides that "an accessory building may not contain kitchen or bathroom accommodations/facilities"; and

WHEREAS, the City Council for the Town of Hollywood Park finds that town residents are permitted to construct accessory buildings and that such buildings contribute to the comfort, convenience, and necessity of occupants of the principal building or principal use served; and

WHEREAS, the city council finds that allowing the installation of plumbing and bathroom facilities enhances occupants' use and enjoyment of accessory buildings.

I.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF HOLLYWOOD PARK, TEXAS that the definition of "accessory building or use" in Section 78-1 of Chapter 78 of the Code of Ordinances is hereby amended and as follows:

Chapter 78 – Zoning
Article I. – In General
Section 78-1. – Definitions

Accessory building or use means:

- (1) A detached building or use that is subordinate to and serves the principal building or the principal use;
- (2) Subordinate in area, extent, or purpose to the principal building or principal use served;
- (3) Contributes to the comfort, convenience, and necessity of occupants of the principal building or principal use served;
- (4) Is located upon the same building lot as the principal building or principal use served;
- (5) An accessory building may not exceed 600 square feet;
- (6) An accessory building may not contain kitchen accommodations/facilities;
- (7) An accessory building may contain plumbing and bathroom accommodations/facilities;
- (8) May not be used as living quarters.

The term "accessory," when used in the text, shall have the same meaning as accessory use. An accessory building may be a part of the principal building. Servants' quarters, as defined, are an accessory building or use.

II. CUMULATIVE CLAUSE

This Ordinance shall be cumulative of all provisions of the Town of Hollywood Park except where the provisions of this Ordinance are in direct conflict with the provisions of such Ordinance, in which event the conflicting provisions of such Ordinance are hereby repealed.

III. SEVERABILITY

It is hereby declared to be the intent of the City Council of the Town of Hollywood Park that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this Ordinance should be declared unconstitutional by the valid judgement or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of the Ordinances, since the same would have been enacted by the Town Council without incorporation in this ordinance of any such unconstitutional phrases, sentences, paragraphs, or sections.

IV. PROPER NOTICE AND MEETING

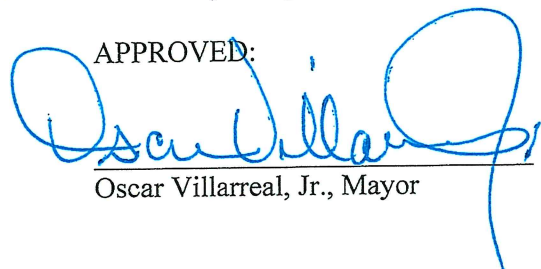
It is hereby officially found and determined that the meeting at which this Ordinance was adopted was open to the public and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government

V. EFFECTIVE DATE

This ordinance shall be effective upon passage and publication as required by state and local law.

Passed by the City Council of the Town of Hollywood Park this the 20th day of April 2021.

APPROVED:

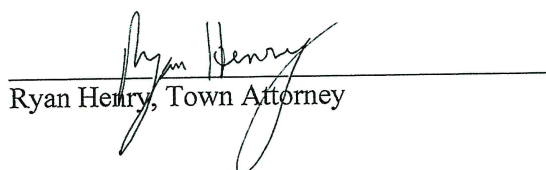


Oscar Villarreal, Jr., Mayor

Attest:


Jeannette Hugghins, Town Secretary

Approved as to Form:


Ryan Henry, Town Attorney